

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BISHOP PERRY,

Plaintiff,

v.

SEAN HART, et al.,

Defendants.

Case No. 18-12914

District Judge George Caram Steeh

Magistrate Judge R. Steven Whalen

ORDER

Before the Court is Plaintiff's Motion to Appoint Arbitrator [ECF No. 49].

This is a prisoner civil rights case brought under 42 U.S.C. § 1983. There is no arbitration agreement. Therefore, M.C.L. § 600.5015, which governed how an arbitrator is selected when there is an arbitration agreement, does not apply. It also does not apply because it has been repealed and replaced with the Uniform Arbitration Act, M.C.L. § 691.1681, *et seq.* And that statute "governs an agreement to arbitrate whenever made." M.C.L. § 691.1683.

Unless the parties agree to arbitrate, this Court is not disposed to order arbitration or appoint an arbitrator. However, if the parties agree to attempt to settle this case, and so inform the Court, I will schedule a settlement conference.

Accordingly, Plaintiff's Motion to Appoint Arbitrator [ECF No. 49] is

DENIED.

IT IS SO ORDERED.

s/R. Steven Whalen

R. STEVEN WHALEN

United States Magistrate Judge

Dated: June 18, 2020

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on June 18, 2020 electronically and/or by U.S. mail.

s/Carolyn M. Ciesla

Case Manager